

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
MARCH 8, 2007**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 06-0650-UST
 Order Date: January 10, 2007
 Respondent: **Spinx Company, Inc.**
 Facility: Spinx 163
 Location/Mailing Address: 1520 E Main St/PO Box 8624
 Duncan, SC/Greenville, SC 29604
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: 17176
 Violations Cited: UST Control Regulations, R.61-92,
 §280.34(c) and 280.40(a)

Summary: Spinx Company, Inc. owns and operates underground storage tanks located at 1520 E. Main St. in Duncan, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department and failure to provide adequate release detection methods.

Action: The Respondent has corrected the violations as of December 27, 2006 and paid the five hundred dollar (**\$500.00**) civil penalty in full.

- 2) Order Type and Number: Consent Order 06-0815-UST
 Order Date: January 10, 2007
 Respondent: **Cary Oil Company, Inc.**
 Facility: Fast Fuel
 Location/Mailing Address: 1027 Church Street
 Laurens, SC 29640
 County: Laurens
 Previous Orders: None
 Permit/ID Number: 17720
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(c)(1)(ii); R.61-92, §280.20(e), R.61-92, §280.40(a).

Summary: Cary Oil Company, Inc. (Respondent), a North Carolina Corporation, owns and operates underground storage tanks located at 1027 Church Street in Laurens, South Carolina. The Respondent has violated the South

Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system with a new underground storage tank system; failure to install an underground storage tank system in accordance with accepted codes and practices; and, failure to provide an adequate release detection method.

Action: The Respondent corrected the violations within 30 days and paid a civil penalty in the amount of one thousand two hundred dollars (**\$1,200.00**).

3) Order Type and Number: Consent Order 06-0821-UST
 Order Date: January 10, 2007
 Respondent: **Vijay Thakkar d. b. a.**
 Cornerstop 40
 Facility: Cornerstop 40
 Location/Mailing Address: 1303 Wilson Rd.
 Newberry, SC 29108
 County: Newberry
 Previous Orders: None
 Permit/ID Number: 06523
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(c)(1)(ii); R.61-92, §280.40(a).

Summary: Vijay Thakkar d. b. a. Cornerstop 40 (Respondent), operates underground storage tanks located at 1303 Wilson Road in Newberry, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system with a new underground storage tank system; and, failure to provide an adequate release detection method.

Action: The Respondent corrected the violations within 30 days and agreed to pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**).

4) Order Type and Number: Consent Order 06-0837-UST
 Order Date: January 23, 2007
 Respondent: **James Corbin d.b.a. Handy Stop**
 Facility: Handy Stop
 Location/Mailing Address: 200 Rembert Dennis Blvd/1335
 Dennis Blvd
 Moncks Corner, SC/Moncks Corner,
 SC 29641
 County: Berkeley
 Previous Orders: None
 Permit/ID Number: 11876

Violations Cited:
§280.20(c)(1)(ii)

UST Control Regulations, R.61-92,

Summary: James Corbin (Respondent) owns and operates underground storage tanks located at 200 Rembert Dennis Blvd. in Moncks Corner, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an underground storage tank.

Action: The Respondent has corrected the violations as of November 2, 2006 and paid the five hundred dollar (\$500.00) civil penalty in full.

5) Order Type and Number: Consent Order 06-0687-UST
Order Date: January 23, 2007
Respondent: **Keever and Clemons Enterprises, Inc.**
Facility: Jack's Mini Mall
Location/Mailing Address: 505 West Main St.
 Andrews, SC 29510
County: Georgetown
Previous Orders: None
Permit/ID Number: 12402
Violations Cited: UST Control Regulations, R.61-92,
 §280.10(e), SUPERB Act 44-2-60(a)

Summary: Keever and Clemmons Enterprises, Incorporated, (Respondent), owns and operates underground storage tanks located at 7009 Buford Bridge Rd. in Sycamore, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: Introduction of petroleum or petroleum products into an underground storage tank system for which the Respondent does not hold a currently valid registration; and, failure to pay annual tank registration fees.

Action: The Respondent corrected the violations and agreed to pay a civil penalty in the amount of two thousand dollars (\$2,000.00) in two equal quarterly payments.

6) Order Type and Number: Consent Order 06-0706-UST
Order Date: January 23, 2007
Respondent: **Pilot Travel Centers, LLC**
Facility: Pilot Travel Center 337
Location/Mailing Address: 2015 W. Lucas St.
 Florence, SC 29501
County: Florence

Previous Orders: None
Permit/ID Number: 16116
Violations Cited: UST Control Regulations, R.61-92, §280.20(e); R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: Pilot Travel Centers, LLC (Respondent), a Delaware Corporation, owns and operates underground storage tanks located at 2015 West Lucas Street, in Florence, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations within 45 days of the date of the Order and has paid a civil penalty in the amount of eight hundred dollars (**\$800.00**).

7) Order Type and Number: Consent Order 06-0789-UST
Order Date: January 23, 2007
Respondent: **Pilot Travel Centers, LLC**
Facility: Pilot Travel Center 346
Location/Mailing Address: 522 Highway 601 South at I-20 Exit 92.
 Lugoff, SC 29078
County: Kershaw
Previous Orders: None
Permit/ID Number: 11972
Violations Cited: UST Control Regulations, R.61-92, §280.20(e); R.61-92, §280.44(a), R.61-92, §280.34(c).

Summary: Pilot Travel Centers, LLC (Respondent), a Delaware Corporation, owns and operates underground storage tanks located at 522 Highway 601 South at I-20, Exit 92, in Newberry, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure to check the line leak detector function annually; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations within 45 days of the date of the Order and has paid a civil penalty in the amount of six hundred dollars (**\$600.00**).

8) Order Type and Number: Consent Order 06-0571-UST

Order Date: January 23, 2007
Respondent: **Ketan D. Patel d. b. a. Three Way Food Mart 1**
Facility: Three Way Food Mart 1
Location/Mailing Address: 2859 Main Hwy
 Bamberg, SC 29003
County: Bamberg
Previous Orders: None
Permit/ID Number: 00805
Violations Cited: UST Control Regulations, R.61-92, §280.20(e); R.61-92, §280.31(a), R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: Ketan D. Patel d. b. a. Three Way Food Mart 1 (Respondent), owns and operates underground storage tanks located at 2859 Main Highway in Bamberg, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure to operate and maintain the corrosion protection equipment continuously; failure provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations within 45 days of the date of the Order and has paid a civil penalty in the amount of one thousand six hundred dollars (\$1,600.00).

9) Order Type and Number: Consent Order 05-250-UST
Order Date: January 23, 2007
Respondent: **William E. Barker, III, d. b. a. Sunshine Convenience Mart**
Facility: Sunshine Convenience Mart
Location/Mailing Address: 100 4th Ave.
 Conway, SC 29003
County: Horry
Previous Orders: None
Permit/ID Number: 10932
Violations Cited: UST Control Regulations, R.61-92, §280.10(e); R.61-92, §280.31(b), R.61-92, §280.52.

Summary: William E. Barker, III, d. b. a. Sunshine Convenience Mart (Respondent), owns and operates underground storage tanks located at 100 4th Avenue in Conway, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into an underground storage tank system for which the Respondent did not hold a currently valid registration; failure to

investigate and confirm a suspected release within a reasonable amount of time; and, failure to inspect the cathodic protection system every three years.

Action: The Respondent corrected the violations and has signed a promissory installment note agreeing to pay a civil penalty in the amount of ten thousand seven hundred dollars (**\$10,700.00**) in four quarterly payments.

- | | | |
|-----|----------------------------------|--|
| 10) | <u>Order Type and Number:</u> | Consent Order 06-0768-UST |
| | <u>Order Date:</u> | January 23, 2007 |
| | <u>Respondent:</u> | Manjit Singh d. b. a. Brother's Fast Stop |
| | <u>Facility:</u> | Brother's Fast Stop |
| | <u>Location/Mailing Address:</u> | 2606 Main St.
Newberry, SC 29108 |
| | <u>County:</u> | Newberry |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 11120 |
| | <u>Violations Cited:</u> | UST Control Regulations, R.61-92, §280.20(e); R.61-92, §280.31(a), R.61-92, §280.40(a), R.61-92, §280.34(c). |

Summary: Manjit Singh d. b. a. Brother's Fast Stop (Respondent), owns and operates underground storage tanks located at 2606 Main Street in Newberry, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure to operate and maintain the corrosion protection equipment continuously; failure provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent corrected the violations and paid a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**).

- | | | |
|-----|----------------------------------|---|
| 11) | <u>Order Type and Number:</u> | Consent Order 06-0745-UST |
| | <u>Order Date:</u> | January 23, 2007 |
| | <u>Respondent:</u> | Darlington County |
| | <u>Facility:</u> | Darlington County Airport |
| | <u>Location/Mailing Address:</u> | 313 Graham Segar Pkwy
Darlington, SC 29540 |
| | <u>County:</u> | Darlington |
| | <u>Previous Orders:</u> | 02-017-SW (\$1800); 06-01-SW (\$1800) |
| | <u>Permit/ID Number:</u> | 12693 |
| | <u>Violations Cited:</u> | UST Control Regulations, R.61-92, |

§280.40(a), R.61-92, §280.34(c).

Summary: Darlington County (Respondent), owns and operates underground storage tanks located at 313 Graham Segar Parkway in Darlington, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent corrected the violations and paid a civil penalty in the amount of six hundred dollars (**\$600.00**).

12) Order Type and Number: Consent Order 06-0732-UST
Order Date: January 23, 2007
Respondent: **Jon I. Team d. b. a. Team's Texaco 2**
Facility: Team's Texaco 2
Location/Mailing Address: 2908 Hwy 86
Piedmont, SC 29673
County: Anderson
Previous Orders: None
Permit/ID Number: 15669
Violations Cited: UST Control Regulations, R.61-92, §280.31(c), R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: Jon I. Team d. b. a. Team's Texaco 2 (Respondent), owns and operates underground storage tanks located at 2908 Highway 86 in Piedmont, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect the impressed current system every 60 days; failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations and has paid a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

13) Order Type and Number: Consent Order 06-0817-UST
Order Date: January 23, 2007
Respondent: **NSS, Inc.**
Facility: United Oil 144
Location/Mailing Address: 7421 Wilson Blvd.
Columbia, SC 29203
County: Richland
Previous Orders: None
Permit/ID Number: 19141

Violations Cited: UST Control Regulations, R.61-92, §280.20(d)(2), R.61-92, §280.20(e), R.61-92, §280.31(a), R.61-92, §280.34(c).

Summary: NSS, Incorporated (Respondent), owns and operates underground storage tanks located at 7421 Wilson Boulevard in Columbia, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure deliver product through a drop tube; failure to install an underground storage tank system in accordance with accepted codes and standards; failure to operate and maintain the corrosion protection equipment continuously; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

14) Order Type and Number: Consent Order 06-0819-UST
Order Date: January 23, 2007
Respondent: **Danny R. Hamrick d. b. a. Danny's Quick Stop**
Facility: Danny's Quick Stop
Location/Mailing Address: 2175 Boiling Springs Hwy
 Gaffney, SC 29341
County: Cherokee
Previous Orders: None
Permit/ID Number: 14991
Violations Cited: UST Control Regulations, R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: Danny R. Hamrick d. b. a. Danny's Quick Stop (Respondent), owns and operates underground storage tanks located at 2175 Boiling Springs Highway in Gaffney, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violations and pay a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**).

15) Order Type and Number: Consent Order 06-0693-UST
Order Date: January 23, 2007
Respondent: **Banjee Enterprises, LLC**
Facility: BP Oil Company 24138
Location/Mailing Address: 19013 Whyte Hardee Blvd

Hardeeville, SC 29927
County: Jasper
Previous Orders: 03-3970-UST (\$600); 05-0439-UST (\$1,100); 05-0707-UST (\$700)
Permit/ID Number: 05257
Violations Cited: UST Control Regulations, R.61-92, §280.10(e), R.61-92, §280.44(a), R.61-92, §280.34(c).

Summary: Banjee Enterprises, LLC, (Respondent), owns and operates underground storage tanks located at 19013 Whyte Hardee Boulevard in Hardeeville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into an underground storage tank system for which the Respondent does not hold a currently valid registration; failure to check the line leak detector function annually; and, failure to provide records to the Department upon request.

Action: The Respondent corrected the violations and paid a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

16) Order Type and Number: Consent Order 06-0747-UST
Order Date: January 23, 2007
Respondent: **Johnnie W. Lively d. b. a. Stop N Go 2**
Facility: Stop N Go 2
Location/Mailing Address: 7009 Buford Bridge Rd.
 Sycamore, SC 29846
County: Allendale
Previous Orders: None
Permit/ID Number: 11126
Violations Cited: UST Control Regulations, R.61-92, §280.30(a), R.61-92, §280.40(a), R.61-92, §280.52, R.61-92, §280.34(c).

Summary: Johnnie W. Lively d. b. a. Stop N Go 2, (Respondent), owns and operates underground storage tanks located at 7009 Buford Bridge Rd in Sycamore, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: Failure to maintain spill prevention equipment; failure to provide an adequate release detection method; failure to investigate and confirm a suspected release within a reasonable period of time; and, failure to provide records to the Department upon request.

Action: The Respondent has agreed to correct the violations and pay a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**).

Hazardous Waste Enforcement

- 17) Order Type and Number: 07-01-HW
Order Date: January 17, 2007
Respondent: **Industrial Container Services-SCII, LLC**
Location/Mailing Address: 2819 Industrial Avenue
North Charleston, South Carolina
29405
County: Charleston
Previous Orders: 03-01-HW (\$19,000); 04-037-A
Permit/ID Number: SCD 003 339 702
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.262.11, R.61-79.265.31, R.61-79.273.13(d)(1), R.61-79.273.14(e), R.61-79.273.15(a), R.61-79.265.13(b), R.61-79.265.53(a), R.61-79.265.16(d)(1), R.61-79.265.16(d)(2), R.61-79.265.16(d)(3), R.61-79.265.16(d)(4), R.61-79.262.40(a), and R.61-79.265.75(c).

Summary: Industrial Container Services-SCII, LLC (Respondent) owns and operates a drum reconditioning facility. The Respondent has violated the South Carolina Hazardous Waste Management Act and Regulations as follows: failure to make an accurate hazardous waste determination; failure to maintain and operate the facility to minimize the possibility of any unplanned or sudden releases to the air, soil, or surface water; failure to contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, compatible with the lamp, and labeled with one of the following phrases: "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s);" failure to ensure that universal waste is accumulated for no longer than one year from the date the universal waste is generated or received from another handler; failure to follow a written waste analysis plan; failure to maintain a copy of the contingency plan at the facility; failure to maintain documents and records at the facility which include: the job title for each position related to hazardous waste management and the name of the employee filling each job, a description for each position, the type and amount of introductory and continuing training given to each person filling a position, and documentation that the training or job experience has been given to and completed by facility personnel; failure to keep onsite for three years a copy of each signed manifest; failure to retain a copy of quarterly reports for three years; and failure to comply with the requirements in Consent Order 03-01-HW related to an accurate hazardous waste determination being made on all solid wastes.

Action: The Respondent has agreed to now and in the future: ensure compliance with the South Carolina Hazardous Waste Management Act and Regulations; ensure that ICS is maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of

hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; ensure that an accurate hazardous waste determination is made on all solid wastes onsite; ensure that lamps are stored in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; ensure that each lamp or container or package in which such lamps are contained is labeled or marked clearly with one of the following phrases: "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s);" ensure that universal waste is accumulated for no longer than one year from the date the universal waste is generated, or received from another handler, as described in R.61-79.273.15(a) unless the requirements of paragraph (b) are met; maintain a copy of the waste analysis plan at the facility; maintain a copy of the contingency plan at the facility; ensure that documents and records are maintained at the facility which include the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; ensure that documents and records are maintained at the facility which include a written job description for each position; ensure that documents and records are maintained at the facility which include a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; maintain records at the facility which document that the training or job experience required has been given to, and completed by, facility personnel; keep a copy of each manifest signed in accordance with R.61-79.262.23(a) onsite for three years or until he receives a signed copy from the designated facility which received the waste; retain a copy of the quarterly reports required in paragraphs (a) and (b) of R.61-79.265.72 for a period of three (3) years; dispose of Enviropaint paint waste as a hazardous waste. Additionally, the Respondent has agreed to within thirty (30) days of the effective date of the Consent Order: submit for review and approval a Standard Operating Procedure (SOP) for the cleaning process using potassium nitrate to recondition steel drums; submit to the Department for review and approval a Sampling and Analysis Plan for the following waste streams: Paint Booth Sludge, Burner Ash and Drum Plant Sludge; and pay a civil penalty in the amount of twenty-one thousand dollars (\$21,000.00).

Solid Waste Enforcement

18)	<u>Order Type and Number:</u>	Consent Order 06-17-SW
	<u>Order Date:</u>	January 2, 2007
	<u>Respondent:</u>	Richard Jackson Seats
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	170 Crossroads Road, Little Mountain, SC 29075
	<u>County:</u>	Newberry
	<u>Previous Orders:</u>	None

Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, (B)(1) (Supp. 2004).

Summary: Richard Jackson Seats (Respondent) operated an unpermitted construction, demolition and land-clearing debris landfill.

Action: The Respondent must remove all debris from the site, and dispose of same in facilities permitted for the disposal of such debris; submit to the Department written certification to include copies of all receipts and/or invoices, verifying that all debris was properly disposed; and pay to the Department a **suspended** civil penalty in the amount of ten thousand dollars (\$10,000.00) in the event of non compliance with the Order. An inspection conducted on January 18, 2007 indicated that the site had been properly cleaned up.

19) Order Type and Number: Consent Order 06-18-SW
Order Date: January 2, 2007
Respondent: **Timothy Edwin Boozer**
d.b.a. Boozer Construction
Facility: N/A
Location/Mailing Address: 277 Ballfield Road, Prosperity,
SC/137 J. Edwin Boozer Drive,
Prosperity, SC 29127-7579
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, (B)(1) (Supp. 2004).

Summary: Timothy Edwin Boozer, d.b.a. Boozer Construction (Respondent) operated an unpermitted construction, demolition and land-clearing debris landfill.

Action: The Respondent must remove all debris from the site, and dispose of same in facilities permitted for the disposal of such debris; submit to the Department written certification to include copies of all receipts and/or invoices, verifying that all debris was properly disposed of; and pay to the Department a **suspended** civil penalty in the amount of ten thousand dollars (\$10,000.00) in the event of non-compliance with the Order.

20) Order Type and Number: Consent Order 06-19-SW
 Order Date: January 2, 2007
 Respondent: **Claude Lake Dominick**
 Facility: N/A
 Location/Mailing Address: 3171 Bethel Church Road,
 Prosperity, SC 29127
 County: Newberry
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002) and the Construction, Demolition
 and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
 61-107.11, Part IV, (B)(1) (Supp. 2004).

Summary: Claude Lake Dominick (Respondent) operated an unpermitted construction, demolition and land-clearing debris landfill.

Action: The Respondent must cover the site with a two (2) foot thick cap of clean soil, seed to establish a vegetative cover, and pay to the Department a **stipulated** civil penalty in the amount of ten thousand dollars (**\$10,000.00**) in the event of non-compliance with the Order.

21) Order Type and Number: Consent Order 06-20-SW
 Order Date: January 2, 2007
 Respondent: **Randy Moore**
 Facility: N/A
 Location/Mailing Address: 3171 Bethel Church Road,
 Prosperity, SC/698 Bethel Church
 Road, Prosperity, SC 29127-7747
 County: Newberry
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002) and the Construction, Demolition
 and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
 61-107.11, Part IV, (A)(8) (Supp. 2004).

Summary: Randy Moore (Respondent) unlawfully open dumped construction, demolition and land-clearing debris.

Action: The Respondent must pay a **stipulated** penalty of ten thousand dollars (**\$10,000.00**), if the Respondent disposes of solid waste unlawfully in the future.

22) Order Type and Number: Consent Order 06-21-SW
Order Date: January 2, 2007
Respondent: **Thaddeus Everett Mays, Registered Agent, Mays Contracting, LLC**
Facility: N/A
Location/Mailing Address: 3171 Bethel Church Road, Prosperity, SC/1728 Indian Land Drive, Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, (A)(8) (Supp. 2004).

Summary: Thaddeus Everett Mays, Registered Agent, Mays Contracting, LLC (Respondent) unlawfully open dumped construction, demolition and land-clearing debris.

Action: The Respondent must pay a **stipulated** penalty of ten thousand dollars (**10,000.00**), if solid waste is disposed of unlawfully in the future.

23) Order Type and Number: Consent Order 06-22-SW
Order Date: January 2, 2007
Respondent: **Robert Chapman, Robert Chapman Landfill CD3**
Facility: N/A
Location/Mailing Address: Dan River Road off of Hwy 29, Spartanburg, SC/2180 Chesnee Hwy, Spartanburg, SC 29303
County: Spartanburg
Previous Orders: None
Permit/ID Number: 422908-1304
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part I, F.2. (Supp. 2005), and Permit # 422908-1304, Part I, B.

Summary: Robert Chapman, Robert Chapman Landfill CD3 (Respondent) failed to complete administrative closure of the landfill in a timely manner, however, administrative closure of the landfill was completed by July 26, 2006, prior to the Order being sent out.

Action: The Respondent must pay a civil penalty of one thousand five hundred dollars (**\$1,500.00**) for the violations cited. The civil penalty has been paid.

24) Order Type and Number: Consent Order 06-23-SW
Order Date: January 2, 2007
Respondent: **Lee Donald Chappell, Chappell & Associates Construction, LLC**
Facility: N/A
Location/Mailing Address: 3171 Bethel Church Road,
Prosperity, SC/5065 Clara Brown
Road, Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (2002) and the Construction, Demolition
and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
61-107.11, Part IV, (A)(8) (Supp. 2004).

Summary: Lee Donald Chappell, Chappell & Associates Construction, LLC (Respondent) unlawfully open dumped construction, demolition and land-clearing debris.

Action: The Respondent must pay a **stipulated** penalty of ten thousand dollars (**10,000.00**), if solid waste is disposed of unlawfully in the future.

25) Order Type and Number: Consent Order 06-24-SW
Order Date: January 2, 2007
Respondent: **Thomas Dominick Chappell, Registered Agent, Chappell & Associates Construction, LLC**
Facility: N/A
Location/Mailing Address: 3171 Bethel Church Road,
Prosperity, SC/5065 Clara Brown
Road, Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (2002) and the Construction, Demolition
and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
61-107.11, Part IV, (A)(8) (Supp. 2004).

Summary: Thomas Dominick Chappell, Registered Agent, Chappell & Associates Construction, LLC (Respondent) unlawfully open dumped construction, demolition and land-clearing debris.

Action: The Respondent must pay a **stipulated** penalty of ten thousand dollars (**\$10,000.00**), if solid waste is disposed of unlawfully in the future.

26) Order Type and Number: Consent Order 07-01-SW
Order Date: January 10, 2007
Respondent: **Henry L. Ruff**
Facility: N/A
Location/Mailing Address: Barrington Road, SW of I-26/880 SC
Hwy 219, Prosperity, SC 29127
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (2002) and the Construction, Demolition
and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
61-107.11, Part IV, (B)(1) (Supp. 2004).

Summary: Henry L. Ruff (Respondent) operated an unpermitted construction, demolition and land-clearing debris landfill.

Action: The Respondent must remove all debris from the Site, and dispose of same in facilities permitted for the disposal of such debris; submit to the Department written certification to include copies of all receipts and/or invoices, verifying that all debris was properly disposed of; and pay to the Department a **suspended** civil penalty in the amount of ten thousand dollars (**\$10,000.00**) in the event of non-compliance with the order.

27) Order Type and Number: Consent Order 07-03-SW
Order Date: January 19, 2007
Respondent: **Stewart's Grading & Excavating
Land-Clearing Debris Landfill**
Facility: N/A
Location/Mailing Address: 206 Pine Grove Church Road,
Sunset, SC/Post Office Box 12,
Pickens, SC 29671
County: Pickens
Previous Orders: CO 04-21-SW (\$500.00)
Permit/ID Number: 392738-1701

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part II, C. (Supp. 2005), Permit # 392738-1701.

Summary: Stewart's Grading & Excavating Land-Clearing Debris Landfill (Respondent) failed to meet all deadlines given to the facility prior to sending in its annual report. The annual report was received on November 29, 2006 after the referral was sent to the Solid Waste Enforcement Section.

Action: The Respondent must pay to the Department a civil penalty in the amount of seven hundred twenty dollars (**\$720.00**) for the violations cited.

28) Order Type and Number: Consent Order 07-04-SW
Order Date: January 24, 2007
Respondent: **City of Lake City Construction, Demolition and Land-Clearing Debris Landfill**
Facility: N/A
Location/Mailing Address: Twin Pond Road, Williamsburg County, SC/Post Office Box 1329, Lake City, SC 29560
County: Williamsburg (Inspected by Florence County)
Previous Orders: N/A
Permit/ID Number: 451002-1201
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) and the Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, (B)(1) (Supp. 2005), Permit # 451002-1201.

Summary: City of Lake City Construction, Demolition & Land-Clearing Debris Landfill (Respondent) exceeded the annual disposal tonnage limit of 1,300 tons per year for fiscal year 2005/2006.

Action: The Respondent must pay to the Department a civil penalty in the amount of one thousand eight hundred dollars (**\$1,800.00**) for the violations cited.

29) Order Type and Number: Consent Order 07-05-SW
Order Date: January 31, 2007
Respondent: **Henry Williams, d.b.a. Henry's Logging**
Facility: N/A
Location/Mailing Address: 170 Ladybug Road, Neeses, SC/2833

	Ninety-Six Road, Neeses, SC 29107
<u>County:</u>	Orangeburg
<u>Previous Orders:</u>	N/A
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	South Carolina Solid Waste Policy and Management Act of 1991 (2002), Used Oil Regulation, 25A S.C. Code Ann. Reg. 61-107.279.12.h., 22.b., 22.c., 22.d., & 22.e. (Supp.2005), Waste Tires Regulation, 25A S.C. Code Ann. Reg. 61-107.3, Section E.3. (Supp. 2005).

Summary: Henry Williams, d.b.a. Henry's Logging (Respondent) disposed of about thirty (30) used oil drums, oil filters, oil buckets, containers, and about fifty (50) waste tires on the site. Six (6) of the thirty (30) used oil drums contained used oil.

Action: The Respondent must remove and properly dispose of used oil stained soil, oil filters, drums, buckets, containers, all drums and containers containing used oil on the site, and all waste tires; forward disposal receipts/invoices to the Department verifying proper disposal; and, within one (1) year, pay to the Department a civil penalty in the amount of six thousand two hundred forty dollars (\$6,240.00) for the violations cited. The penalty is to be paid in four (4) equal installments of one thousand five hundred sixty dollars (\$1,560.00) each.

BUREAU OF WATER

Drinking Water Enforcement

30)	<u>Order Type and Number:</u>	Consent Order 07-002-DW
	<u>Order Date:</u>	January 23, 2007
	<u>Respondent:</u>	Glacier Water Services, Inc.
	<u>Facility:</u>	Glacier Water Services
	<u>Location/Mailing Address:</u>	1385 Park Center Dr. Vista, CA 92081
	<u>County:</u>	Marion
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None-Water Vending Machine
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.1.L(1)

Summary: Glacier Water Services, Inc. (Respondent) is responsible for the proper installation, operation and maintenance of the water vending machine serving 1318 North Main Street located in Marion County, South Carolina. The

Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain approval prior to the installation of a water vending machine and failure to obtain final approval to operate prior to use.

Action: The Respondent has agreed to: pay a civil penalty in the amount of one thousand seven hundred dollars (\$1,700.00).

31)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Respondent:</u> <u>Facility:</u> <u>Location/Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u> and 61-51(K)(1)(d)	Consent Order 07-005-DW January 10, 2007 Schooner II Beach and Racquet Club Homeowners Association, Inc. Schooner Beach Racquet Club 1425 Birch Crest Lane Charlottesville, VA 22911 Horry None 26-738D 24A S.C. Code Ann. Regs. 61-51(J)
-----	--	---

Summary: Schooner II Beach and Racquet Club Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Spa, located at 7050 North Ocean Boulevard, in Myrtle Beach, South Carolina. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the Spa at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the Spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (\$1,680.00).

32)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Respondent:</u> <u>Facility:</u> <u>Location/Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u>	Consent Order 07-006-DW January 10, 2007 Haig Point Utility Company, Inc. Haig Point Plantation 25 Fox Hill Road Warwick, NY 10990 Beaufort 05-048-DW (\$680) 0750036 S.C. Code Ann. Regs. 61-58.7(B)
-----	--	---

Summary: Haig Point Utility Company, Inc. (Respondent) owns and is

responsible for the proper operation and maintenance of a public water system (PWS) located on Daufuskie Island in Beaufort County, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS.

Action: The Respondent has agreed to: correct all deficiencies listed in the sanitary survey to bring the PWS into compliance with the State Primary Drinking Water Regulations and pay a **stipulated** civil penalty in the amount of four thousand dollars (\$4,000.00) if it fails to meet any requirement of this Order.

- | | | |
|-----|----------------------------------|--|
| 33) | <u>Order Type and Number:</u> | Consent Order 07-016-DW |
| | <u>Order Date:</u> | January 23, 2007 |
| | <u>Respondent:</u> | Daufuskie Island Properties, LLC |
| | <u>Facility:</u> | Daufuskie Island Club |
| | <u>Location/Mailing Address:</u> | 421 Squire Pope Road
Hilton Head Island, S.C. 29928 |
| | <u>County:</u> | Beaufort |
| | <u>Previous Orders:</u> | 05-122-DW (\$1,800 Stipulated) |
| | <u>Permit/ID Number:</u> | 0750043 |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-58.7(B) |

Summary: Daufuskie Island Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS.

Action: The Respondent has agreed to: correct all deficiencies listed in the sanitary survey to bring the PWS into compliance with the State Primary Drinking Water Regulations and pay a **stipulated** civil penalty in the amount of four thousand dollars (\$4,000.00) if it fails to meet any requirement of this Order.

- | | | |
|-----|----------------------------------|---|
| 34) | <u>Order Type and Number:</u> | Consent Order 07-020-DW |
| | <u>Order Date:</u> | January 23, 2007 |
| | <u>Respondent:</u> | Myrtlecrest Residential Care Home, LLC |
| | <u>Facility:</u> | Myrtlecrest Residential Care Home |
| | <u>Location/Mailing Address:</u> | P.O. Box 9098
Columbia, S.C. 29209 |
| | <u>County:</u> | Richland |
| | <u>Previous Orders:</u> | 02-148-DW (\$8,400 Stipulated), 04-098-DW (\$700) and 04-149-DW (\$4,500) |
| | <u>Permit/ID Number:</u> | 4070910 |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-58.11(D) |

Summary: Myrtlecrest Residential Care Home, LLC (Respondent) owns, operates, and maintains public water system (PWS) No. 4070910 that serves the customers and employees of the Myrtlecrest Residential Care Home. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to submit an Optimal Corrosion Control Treatment (OCCT) Evaluation plan within six (6) months of the July – December 2005 action level exceedance (ALE) copper.

Action: The Respondent has agreed to: comply with all pertinent State and Federal rules and regulations; submit for review and approval an OCCT Evaluation for copper ALE; and pay a civil penalty in the amount of one thousand one hundred twenty five dollars (\$1,125.00).

Water Pollution Enforcement

35) Order Type and Number: Consent Order 06-222-W
 Order Date: January 8, 2007
 Respondent: **City of Easley**
 Facility: Easley Recreational Facilities
 Location/Mailing Address: P.O. Box 466
 Easley, S.C. 29641
 County: Pickens
 Previous Orders: None
 Permit/ID Number: 39-97-03-02 SCR102345
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2005) and 72-305(K)
 (1991)

Summary: The City of Easley (Respondent) owns and is responsible for land disturbing activities at Easley Park Recreational Facilities (Site). The Respondent has violated the Pollution Control Act Standards for Stormwater Management and Sediment Reduction, and associated regulations as follows: discharged sediment into the environment, including waters of the State; initiated land disturbing activities outside the permitted area; and failed to properly maintain all erosion control devices.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by an S.C. Registered Professional Engineer certifying that implementation of the necessary stormwater and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of nine thousand twenty dollars (\$9,020.00). The Department had assessed a civil penalty in the amount of thirteen thousand twenty dollars (\$13,020.00) but suspended four thousand dollars (\$4,000.00) of such penalty due to financial circumstances.

The civil penalty has been paid.

- 36) Order Type and Number: Consent Order 06-230-W
 Order Date: January 10, 2007
 Respondent: **McCollum Business, LLC**
 Facility: Oaktree Medical Building
 Location/Mailing Address: 115 Brushy Creek Road
 Easley, S.C. 29642
 County: Pickens
 Previous Orders: None
 Permit/ID Number: SCR10B997
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2005), and 61-
 9.122.26(c)(1) (Supp.2005)

Summary: McCollum Business, LLC (Respondent) owns and is responsible for development and construction activities located at Oaktree Medical Building (Site). The total disturbed acreage at the Site is approximately 4.8 acres. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with all conditions of the approved plans, as required by its National Pollutant Discharge Elimination System (NPDES) permit; and initiated land disturbing activities outside the permitted area.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a revised site plan showing all areas disturbed and modifications made, signed and sealed by an S.C. Registered Professional Engineer; submit a report completed and stamped by an S.C. Registered Professional Engineer, certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of twenty-two thousand three hundred fifty dollars (**\$22,350.00**). The civil penalty has been paid.

- 37) Order Type and Number: Consent Order 06-232-W
 Order Date: January 10, 2007
 Respondent: **City of Greenville**
 Facility: Reedy River Pond Maintenance
 Location/Mailing Address: P.O. Box 2207
 Greenville, S.C. 29602
 County: Greenville
 Previous Orders: 06-196-W (\$5,100)
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-110(d), 90(b)
 (Supp. 2005), 25 S.C. Code Ann. Regs. 61-68(E)(5)(d) and (G)(10)(b)

(Supp. 2005)

Summary: The City of Greenville (Respondent) is responsible for the dam operation and sediment removal above the Reedy River Falls, located between South Main Street and River Street, in Greenville, South Carolina. The Respondent has violated the Pollution Control Act and the Water Classifications and Standards as follows: discharged sediment into the environment, including waters of the State, in a manner other than in compliance with the permit.

Action: The Respondent has agreed to: submit a comprehensive maintenance and mitigation plan for removing the sediment accumulation on the shelf in the Reedy River Pond and submit payment in the amount of ten thousand two hundred ninety-four dollars (**\$10,294.00**). Four hundred ninety-four dollars (\$494.00) of the payment shall be designated for damages assessed for the fish kill, and nine thousand eight hundred dollars (\$9,800.00) of the payment shall be designated for payment of the civil penalty for the violations cited.

38)	<u>Order Type and Number:</u>	Consent Order 07-001-W
	<u>Order Date:</u>	January 23, 2007
	<u>Respondent:</u>	McCall Farms, Inc.
	<u>Facility:</u>	McCall Farms
	<u>Location/Mailing Address:</u>	6615 S. Irby Street Effingham, S.C. 29541
	<u>County:</u>	Florence
	<u>Previous Orders:</u>	03-022-W (\$16,500); 04-063-A (\$5,000); 05-062-W (\$16,000)
	<u>Permit/ID Number:</u>	SCR10E033
	<u>Violations Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.26 (c)(1) (Supp.2006)

Summary: McCall Farms, Inc. (Respondent) owns and is responsible for the construction activities serving its frozen food manufacturing facility (Site) located in Effingham, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: initiated land-disturbing activities prior to obtaining a permit from the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; within 30 days of Department approval of the National Pollutant Discharge Elimination System (NPDES) Permit for the Site, submit a report, completed by a S.C Registered Professional Engineer, certifying that all storm water devices have been installed and are properly functioning; and pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**). The civil penalty has been paid.

- 39) Order Type and Number: Consent Order 07-003-W
 Order Date: January 8, 2007
 Respondent: **Clariant Corporation**
 Facility: Martin Plant WWTF
 Location/Mailing Address: 788 Chert Quarry Road
 Martin, S.C. 29836
 County: Allendale
 Previous Orders: 02-031-A (\$5,000)
 Permit/ID Number: SC0042803
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp.
 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2005)

Summary: Clariant Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF), which collects and treats the process wastewater from the Martin Plant. The Respondent has violated the Pollution Control Act as follows: failed to comply with the permitted discharge limits for biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to prevent future BOD violations and pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**).

- 40) Order Type and Number: Consent Order 07-007-W
 Order Date: January 10, 2007
 Respondent: **Arr-Maz Custom Chemicals, Inc.**
 Facility: Arr-Mazz Chemicals WWTF
 Location/Mailing Address: 23 John Meeks Way
 Lobeco, S.C. 29940
 County: Beaufort
 Previous Orders: None
 Permit/ID Number: SC0000914
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 48-1-110 (a)(1), (a)(3), (d) and (e) (Supp. 2005), 24 S.C. Code Ann. Regs.
 61-9.122.21(a)(3) and .41(a), (d), (e)(3)(i) and (l)(7) (Supp. 2005)

Summary: Arr-Maz Custom Chemicals, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its chemical manufacturing facility. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged waste into the environment in a manner other than in compliance with a permit issued by the Department; failed to comply with the effluent limits for Biochemical Oxygen Demand (BOD) and Dissolved Oxygen (DO); failed to provide operators of appropriate grade; failed to monitor for DO and BOD; failed to report instances of noncompliance as required by its

Permit; and failed to obtain permits prior to constructing and placing a wastewater disposal system into operation.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a list of Operators of Appropriate grade, which are currently operating the WWTF; submit a Corrective Action Plan (CAP) to include a summary of actions taken to prevent future violations; request an inspection from the Department for the purpose of obtaining a Permit to Operate the wastewater disposal system; and pay a civil penalty in the amount of eighteen thousand eight hundred dollars (**\$18,800.00**).

- 41) Order Type and Number: Consent Order 07-008-W
 Order Date: January 10, 2007
 Respondent: **Paul Steinburg**
 Facility: Scenic Lake Park
 Location/Mailing Address: 4915 Ridgewood Drive
 Rembert, S.C. 29128
 County: Sumter
 Previous Orders: None
 Permit/ID Number: SC0031895
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (1987) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: Paul Steinburg (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents of Scenic Lake Park. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the permitted discharge limits for Total Zinc.

Action: The Respondent has agreed to: submit 3 copies of a diagnostic evaluation (DE) conducted by a State certified WWTF operator of proper grade; if the DE indicates that construction of an upgrade is required to meet limits, then within 60 days of completion of the DE, submit 3 copies of a preliminary engineering report (PER) with a schedule of implementation, which upon Department approval, shall be incorporated into and become an enforceable part of this Order, and pay a **suspended** penalty in the amount of six thousand dollars (**\$6,000.00**) should the Respondent fail to meet the requirements of the Order. Completion of construction per the schedule shall also become an enforceable part of this Order.

- 42) Order Type and Number: Consent Order 07-009-W
 Order Date: January 10, 2007
 Respondent: **Rolling Meadows I, LLC**
 Facility: Rolling Meadows MHP WWTF

Location/Mailing Address: 4801 Sunset Boulevard
Lexington, S.C. 29072
County: Lexington
Previous Orders: 01-035-W (\$2,800), 03-219-W (\$5,600 Suspended) and 05-071-W (\$4,200)
Permit/ID Number: SC0033685
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: Rolling Meadows I, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent for ammonia-nitrogen (NH₃-N).

Action: The Respondent has agreed to: submit a corrective action plan (CAP) including a diagnostic evaluation (DE) of the WWTF; if the DE indicates an upgrade is required, submit a preliminary engineering report (PER); submit plans, specifications and application for a permit to construct the necessary upgrades; construct the necessary upgrades; and pay a civil penalty in the amount of one thousand seven hundred dollars (\$1,700.00).

43) Order Type and Number: Consent Order 07-010-W
Order Date: January 10, 2007
Respondent: **Youngblood Development Corp**
Facility: Hamilton Park Subdivision
Location/Mailing Address: 1909 East Main Street
Easley, S.C. 29640
County: Pickens
Previous Orders: 02-113-W (\$11,200)
Permit/ID Number: SCR104606
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005) and 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2005)

Summary: Youngblood Development Corporation (Respondent) owns and is responsible for land-disturbing and construction activities in the Hamilton Park Subdivision. The Respondent has violated the Pollution Control Act, Water Classifications and Standards, and Water Pollution Control Permit Regulations as follows: failed to properly install, operate and maintain storm water sediment and erosion control measures and allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with the permit.

Action: The Respondent has agreed to: execute and submit co-permittee agreements with all builders and contractors on the Site; submit a report by an S.C. Registered Professional Engineer certifying all stormwater controls have been installed and are functioning properly; and pay a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**). The Department assessed a civil penalty of twenty-three thousand eight hundred fifty-one dollars and sixty-three cents (\$23,851.63) and suspended eight thousand eight hundred fifty-one dollars and sixty-three cents (\$8,851.63) of the penalty.

44) Order Type and Number: Consent Order 07-012-W
 Order Date: January 8, 2007
 Respondent: **Town of Iva**
 Facility: Eastside and Westside WWTFs
 Location/Mailing Address: P.O. Box 188
 Iva, S.C. 29655
 County: Anderson
 Previous Orders: 02-114-W (\$4,200), 02-115-W
 (\$4,200) and 03-119-W (\$1,000
 Stipulated)
 Permit/ID Number: SC0025810/SC0025828
 Violations Cited: S.C. Code Ann. § 48-1-50(3) (1987)

Summary: The Town of Iva (Respondent) owns and is responsible for the proper operation and maintenance of 2 wastewater treatment facilities (WWTFs) serving the residents and businesses of the Town of Iva. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to properly closeout both WWTFs in accordance with Consent Orders 02-114-W and 02-115-W.

Action: The Respondent has agreed to: on or before October 31, 2007, complete the closure of both the Eastside WWTF and the Westside WWTF; request a final inspection from the Department; and pay a **stipulated** civil penalty in the amount of five thousand dollars (**\$5,000.00**) per violation per month if it fails to meet the lagoon closure deadline.

45) Order Type and Number: Consent Order 07-014-W
 Order Date: January 19, 2007
 Respondent: **Shoals of Anderson, Inc.**
 Facility: Shoals Sewer Company WWTF
 Location/Mailing Address: P.O. Box 68
 Snead Ferry, N.C. 28460
 County: Anderson
 Previous Orders: 00-169-W (01 ALJ-07-0012-CC)
 (\$12,000) and 06-034-W (\$13,000)

Permit/ID Number: SC0021873
Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005), 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2005), 61-9.122.21(a)(3) (Supp 2005) and 61-9.122.41(j)(3) (Supp. 2005)

Summary: Shoals of Anderson, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits for ammonia-nitrogen (NH₃-N), biochemical oxygen demand (BOD), total suspended solids (TSS), and fecal coliform bacteria (Fecal); placed a new disinfection system into operation without prior approval from the Department; and failed to submit administratively complete discharge monitoring reports (DMRs) in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: submit a copy of a contract between one of the following: a) a municipal or similar publicly-owned wastewater provider; b) an existing, viable privately-owned wastewater provider; or c) an unrelated, private purchaser who can meet the viability requirements set forth in R.61-9.600; complete the closing of the sale and transfer ownership of the WWTF; notify the SC Public Service Commission of intent to transfer ownership; if the WWTF cannot be transferred in a timely manner, allow the Court to appoint a temporary receiver for the WWTF until a permanent purchaser can be located; and pay a **suspended** civil penalty in the amount of thirty-four thousand dollars (\$34,000.00) if the Respondent fails to meet any requirement of this Order.

46) Order Type and Number: Consent Order of Dismissal
 07-015-W
Order Date: January 23, 2007
Respondent: **Shoals of Anderson, Inc.**
Facility: Shoals Sewer Company WWTF
Location/Mailing Address: P.O. Box 68
 Snead Ferry, N.C. 28460
County: Anderson
Previous Orders: 00-169-W (01-ALJ-07-0012-CC)
 (\$12,000), 06-034-W (\$13,000) and
 07-014-W (\$34,000 Suspended)
Permit/ID Number: SC0021873
Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005), 24 S.C. Code Ann. Regs. 61-9.122.41(e) (Supp. 2005), 61-9.122.41(j)(3) and (l)(4) (Supp. 2005)

Summary: Shoals of Anderson, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment

facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the WWTF and failed to submit administratively complete discharge monitoring reports (DMRs) in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**) in quarterly installments. The Respondent has paid the first installment of the civil penalty.

47) Order Type and Number: Consent Order 07-017-W
 Order Date: January 24, 2007
 Respondent: **Preston Pointe, LP**
 Facility: Preston Pointe Apartments
 Location/Mailing Address: 2450 Atlanta Highway Suite 1001
 Cumming, GA 30040
 County: Pickens
 Previous Orders: None
 Permit/ID Number: 39-05-02-04 SCR10A673
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
 and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2006)

Summary: Preston Pointe, LP (Respondent) owns and is responsible for development and construction activity at Preston Pointe Apartments (Site) located in the City of Clemson, South Carolina. Total disturbed acreage at the Site is approximately 6.6 acres. The Respondent has violated the Pollution Control Act Standards for Stormwater Management and Sediment Reduction and associated regulations as follows: failed to properly maintain all erosion control devices during all phases of construction.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by an S.C. Registered Professional Engineer certifying that all implementations of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).

48) Order Type and Number: Consent Order of Dismissal 07-021-W
 Order Date: January 16, 2007
 Respondent: **Michael Craft**
 Facility: Crafty's Used Auto Parts
 Location/Mailing Address: 27 Parkview
 Pawley's Island, S.C. 29858
 County: Horry

Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (2006) and S.C. Code Ann. Regs. 61-9.122.126(c)(1)(I) (Supp. 2006)

Summary: Michael Craft (Respondent) owns and is responsible for Crafty's Used Auto Parts. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit a Stormwater Pollution Prevention Plan as required by the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Industrial Activities.

Action: The Respondent has agreed to: submit a revised groundwater assessment plan; complete cleanup identified in the Department approved groundwater assessment proposal; and pay a civil penalty in the amount of fourteen thousand dollars (\$14,000.00). The Consent Order states that the Department may at its discretion reduce the penalty.

BUREAU OF AIR QUALITY

49) Order Type and Number: Consent Order 07-001-A
Order Date: January 02, 2007
Respondent: **East Coast Industrial Services**
Facility: East Coast Industrial Services, Inc.
Location/Mailing Address: P.O. Box 319
 Alcolu, S.C. 29001
County: Clarendon
Previous Orders: None
Permit/ID Number: NA
Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2, Prohibition of Open Burning

Summary: East Coast Industrial Services, Inc. ("Respondent") located in Alcolu, S.C., is a waste tire processing facility. The Respondent has violated South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning in that it burned materials other than those allowed by Section I of the Regulation.

Action: The Respondent has agreed henceforth to cease open burning, except as provided by the South Carolina Air Pollution Control Regulations. In addition the Respondent has agreed to pay a civil penalty in the amount of six thousand five hundred dollars (\$6,500.00), payable in four (4) equal payments of one thousand six hundred and twenty-five dollars (\$1,625.00). The first payment has been paid.

- 50) Order Type and Number: Consent Order 07-002-A
 Order Date: January 2, 2007
 Respondent: **Pinnacle Composites, L.L.C.**
 Facility: Pinnacle Composites, L.L.C.
 Location/Mailing Address: 1401 Pineview Rd.
 Columbia, S.C. 29201
 County: Richland
 Previous Orders: None
 Permit/ID Number: 1900-0213
 Violations Cited: U.S. EPA 40 CFR 63.5905 and
 63.9(h) and South Carolina Air Pollution Control Regulation 61-62.63 -
 Subpart WWW and Subpart A, U.S. EPA 40 CFR 63.5910(b) and South
 Carolina Air Pollution Control Regulation 61-62.63 - Subpart WWW,
 South Carolina Air Pollution Control Regulation 61-62.70.6(c), and
 S. C. Code Ann. § 48-1-110(d).

Summary: Pinnacle Composites, L.L.C. (Respondent), located in Columbia, S. C., manufactures various fiberglass parts for use in the marine and automotive industries. The Respondent violated Federal and State Regulations and State Statutes as follows: failed to submit a Notification of Compliance Status (NOCS); failed to submit two compliance reports; failed to submit a complete and accurate Title V Annual Compliance Certification (TVACC); and failed to submit two semiannual volatile organic compound (VOC) and hazardous air pollutant (HAP) reports.

Action: The Respondent has agreed to: submit within 45 days from the end of each reporting period a TVACC that accurately reflects the compliance status of the facility during the reporting period; submit VOC and HAP reports; submit compliance reports; and pay a civil penalty in the amount of eleven thousand five hundred dollars (**\$11,500.00**) payable in ten (10) equal payments of one thousand one hundred fifty dollars (\$1,150.00) each. The first payment has been paid.

- 51) Order Type and Number: Consent Order 07-003-A
 Order Date: January 02, 2007
 Respondent: **Aardvark Environmental, LLC.**
 Facility: Aardvark Environmental, LLC.
 Location/Mailing Address: P.O. Box 2218
 Myrtle Beach, S.C. 29577-2218
 County: Horry County
 Previous Orders: 04-012-A (\$3,000.00)
 Permit/ID Number: N0606227
 Violations Cited: U.S. EPA Regulation 40 CFR 61,
 National Emission Standards For Hazardous Air Pollutants, Subpart M;

South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: Aardvark Environmental, LLC ("Respondent"), located in Myrtle Beach, S. C., is an asbestos abatement contractor, originally licensed by the Department on March 31, 2003, and every year thereafter. The Respondent has violated U.S. EPA Regulations and State Air Pollution Control Regulations as follows: failure to update a written notification when any previously notified information changes (including but not limited to, when the project start or completion date change), and failure to construct a clear viewing port in an external wall of the contained work area to allow unobstructed observation of abatement activities in the work area.

Action: The Respondent has agreed to: adhere to all the notification requirements for an asbestos project, construct a clear viewing port to allow unobstructed observation of abatement activities, and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has been paid.

52)	<u>Order Type and Number:</u>	Consent Order 07-004-A
	<u>Order Date:</u>	January 10, 2007
	<u>Respondent:</u>	Beden-baugh Products, Inc.
	<u>Facility:</u>	Beden-baugh Products, Inc.
	<u>Location/Mailing Address:</u>	105 Lisbon Road
		Laurens, S.C. 29360
	<u>County:</u>	Laurens County
	<u>Previous Orders:</u>	00-079-A (\$7,000.00)
	<u>Permit/ID Number:</u>	CM-1520-0072
	<u>Violations Cited:</u>	SC Code Ann. § 48-1-110(d)

Summary: Beden-Baugh Products, Inc. ("Respondent"), located in Laurens, South Carolina, manufactures fiberglass-reinforced plastic tanks, salt dissolver systems, and associated equipment and supplies. The Respondent violated State Air Pollution Control Regulations as follows: failure to maintain daily records of the dates and amounts of resin consumed; failure to calculate percent styrene content in each batch of resin consumed, failure to maintain consumption records of material containing volatile organic compounds ("VOC") and hazardous air pollutants ("HAP"), and failure to submit these records to the Department on either a monthly, quarterly, or annual basis as required by its Permit.

Action: The Respondent agreed to: within thirty (30) days of the execution date of this Order, submit to the Department a complete and accurate application for renewal of its Conditional Major Operating Permit and information from the previous three years indicating: its daily records of the dates and amounts of resin consumed; monthly reports of daily resin consumed; styrene

content by weight for each batch of resin used to demonstrate that the styrene content of 50 percent was not exceeded; daily consumption records for all materials containing VOC and HAP along with VOC and HAP content by weight; monthly VOC and HAP emissions; and 12-month rolling sums of VOC emissions, individual HAP emissions, and combined HAP emissions. The Respondent has also agreed to pay a civil penalty in the amount of twenty thousand dollars (\$20,000.00).

- 53) Order Type and Number: Consent Order 07-005-A
 Order Date: January 25, 2007
 Respondent: **Action Abatement, Inc.**
 Facility: Action Abatement, Inc.
 Location/Mailing Address: P.O. Box 1235
 Moncks Corner, S.C. 29461
 County: Berkeley
 Previous Orders: 06-055-A (\$4,000.00)
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2, Prohibition of Open Burning

Summary: Action Abatement, Inc. (Respondent) is a licensed asbestos abatement contractor located in Moncks Corner, South Carolina. The Respondent has violated the State Air Pollution Control Regulations by burning land-clearing debris within 1,000 feet of a residential, commercial, or industrial site not a part of the contiguous property on which the burning occurred.

Action: The Respondent has agreed to: cease all open burning at its property located at 327 Cypress Gardens Road in Moncks Corner, South Carolina; conduct all open burning in accordance with State regulations; and pay a civil penalty in the amount of two thousand dollars (\$2,000.00). The penalty has been paid.

- 54) Order Type and Number: Consent Order 07-006-A
 Order Date: January 24, 2007
 Respondent: **Thompson Building Wrecking Co., Inc.**
 Facility: Thompson Building Wrecking Co., Inc.
 Location/Mailing Address: P.O. Box 932
 Augusta, GA 30903
 County: Aiken
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control

Regulation 61-86.1, Standards of Performance for Asbestos Projects

Summary: Thompson Building Wrecking Co., Inc. (Respondent) is a licensed asbestos abatement contractor. The Respondent violated State regulations as follows: failed to possess a current initial or refresher training certificate and valid personnel license at the project site for every asbestos abatement entity performing abatement work; failed to define the work area using barrier tape and danger signs; failed to cover walls and ceilings not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting prior to receiving a variance granted on March 9, 2006; failed to seal each opening between the work area and uncontaminated areas including windows, doorways, elevator openings, corridor entrances, etc. with a critical barrier consisting of at least one sheet of 6-mil or thicker polyethylene sheeting; failed to construct a five-stage decontamination enclosure system adjoining the contained work area; and failed to operate negative pressure differential equipment with HEPA filtration.

Action: The Respondent has agreed to: henceforth ensure that every contractor, supervisor, and worker who engages in any asbestos project has a current and valid license; maintain a current initial or refresher training certificate and valid personnel license at the project site for every asbestos abatement entity performing abatement work; define the work area using barrier tape and danger signs in accordance with Department Asbestos Regulations prior to beginning removal; cover walls and ceilings not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting; seal each opening between the work area and uncontaminated areas including windows, doorways, elevator openings, corridor entrances, etc. with a critical barrier consisting of at least one sheet of 6-mil or thicker polyethylene sheeting and maintain the seal leak-tight for the duration of asbestos abatement; construct a five-stage decontamination enclosure system adjoining the contained work area; operate negative pressure differential equipment with HEPA filtration continuously from the time barrier construction is completed through the time acceptable final clearance air monitoring results are obtained; adhere to all required licensing and work practices in accordance with Department Asbestos Regulations; and pay a civil penalty in the amount of eleven thousand dollars (**\$11,000.00**).

55) <u>Order Type and Number:</u>	Consent Order 07-007-A
<u>Order Date:</u>	January 25, 2007
<u>Respondent:</u>	S&S Waste Recycling
<u>Facility:</u>	S&S Waste Recycling
<u>Location/Mailing Address:</u>	214 East Victor Hill Rd Duncan, S.C. 29334
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2060-0429

Violations Cited: U.S. Environmental Protection Agency Regulations at 40 CFR 60.2175(n), South Carolina Air Pollution Control Regulation 61-62.60, Subpart CCCC, South Carolina Air Pollution Control Regulation 61-62.5, Section III.G.4.a., and S.C. Code Ann. § 48-1-110(d)

Summary: S&S Waste Recycling (“Respondent”) located in Duncan, South Carolina, incinerates untreated wood waste generated from the production of roof trusses. The Respondent has violated Federal and State Regulations, in that it failed to maintain records of the amount of waste combusted in its air curtain incinerator.

Action: The Respondent has agreed: to henceforth to maintain records of the amount of waste combusted in its air curtain incinerator. In addition, the Respondent has agreed to pay a civil penalty in the amount of four thousand five hundred dollars (\$4,500.00).

56) Order Type and Number: 07-008-A
Order Date: January 25, 2007
Respondent: **Arrow Concrete Company**
Facility: Arrow Concrete Company
Location/Mailing Address: P.O. Box 4336
Parkersburg, W.V. 26104
County: Beaufort County
Previous Orders: None
Permit/ID Number: 0360-0030
Violations Cited: SC Code Ann. 48-1-110(d)

Summary: Arrow Concrete Company (Respondent), located in Bluffton, South Carolina, operates a concrete batch plant. The Department issued Air Quality Operating Permit 0360-0030 to the Respondent, effective March 21, 2003. The Respondent violated South Carolina Air Pollution Control Regulations for failure to control fugitive PM emissions as required by its Permit.

Action: The Respondent agreed to henceforth control fugitive PM emissions as required by its Permit and pay a civil penalty in the amount of four thousand five hundred dollars (\$4,500.00).